

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,)
)
)
v.) 02: 05cr385-02
)
CLARON HANNER)

ORDER OF COURT

AND NOW, this 25th day of April, 2007, upon consideration of the oral arguments of counsel and witness testimony presented on April 3, 2007, regarding Defendant Hanner's Motion to Immediately Disclose Any and All Contacts Between Government Agents or Prosecutors and Potential Jailhouse Informants Incarcerated with Defendant Hanner (*Document No. 262*), the Government's Response (*Document No. 318*), and Hanner's Reply (*Document No. 380*), and it appearing that two (2) individuals, namely Leander Brand and Stephen Zambori, may have been incarcerated with Defendant Hanner at some time after his arrest on a homicide charge on February 14, 2004, and may have provided information to authorities regarding their respective communications with Hanner while so incarcerated. These individuals may or may not be presented as government witnesses at the trial of this case.

The government has presented testimony that neither of these individuals were acting as agents of the government when and if they had communications with Defendant Hanner. Nevertheless, in an abundance of caution, the Court finds that a pretrial evidentiary hearing is justified for inquiry into the facts and circumstances surrounding the initiation and/or aftermath of communications between these referenced individuals and Claron Hanner during his incarceration from and after February 14, 2004.

Accordingly, counsel for the government shall confer with counsel for Defendants and Court staff to schedule a mutually agreeable hearing date and time in May, 2007.

It is so **ORDERED**.

BY THE COURT:

s/Terrence F. McVerry
United States District Court Judge

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